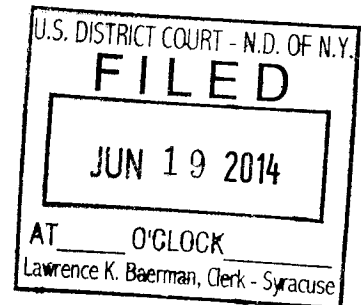


IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF NEW YORK  
SYRACUSE DIVISION

-----X  
O.W. BUNKER FAR EAST (S) PTE LTD, : ECF CASE  
Plaintiff, : C.A. NO.: 17:14-cv-742  
v. : IN ADMIRALTY  
M/V FRITZ, IMO No. 9415155 :  
her engines, freights, apparel, :  
appurtenances, tackle, etc., *in rem*, :  
and MS "FRITZ" SCHIFFAHRSGES. :  
MBH & CO. REEDEREI KG, *in personam*, :  
Defendant. :  
-----X



**ORDER FOR ISSUANCE OF WRIT OF ATTACHMENT  
AND GARNISHMENT**

Upon reviewing the Original Verified Complaint and being satisfied that the premises for the attachment of the M/V FRITZ, as more particularly described in the Original Verified Complaint pursuant to Rule B of the Supplemental Rules for Certain Admiralty and Maritime Claims of the Federal Rules of Civil Procedure have been met in this case; and this Court having determined that the conditions for a Writ of Maritime Attachment and Garnishment appear to exist;

IT IS HEREBY ORDERED, ADJUDGED AND DECREED that the Clerk of Court is authorized to issue a Writ of Attachment and Garnishment of the M/V FRITZ;

IT IS FUTHER ORDERED that the Clerk of the Court shall issue further, supplementary writs of maritime attachment and garnishment, on request of the Plaintiff and without further Order of the Court;

IT IS FURTHER ORDERED that the United States Marshal is authorized to allow normal cargo operations, both discharging and loading, repair works, and to shift berths (consistent with the U.S. Marshal's requirements), always remaining within this judicial district, but at the risk and expense of the vessel's interests.

IT IS FUTHER ORDERED that a copy of this Order be attached to and served with said Writ of Attachment and Garnishment;

IT IS FURTHER ORDERED that the U.S. Marshal is released and held harmless for any and all costs, fees, liabilities, or other expenses in any way arising out of the attachment of the M/V FRITZ; and

IT IS FURTHER ORDERED that charges and expenses incurred by any substitute custodian or the U.S. Marshal shall be deemed *in custodia legis*, and will be paid from the proceeds of sale from the vessel unless otherwise agreed. If a written objection is timely filed, payment of the disputed charges only shall be made after the objection is resolved by agreement of the parties or by Court Order. Payment of the undisputed charges shall not be affected.

IT IS FURTHER ORDERED, that pursuant to Supplemental Rule E(5)(a), the Court fixes the principal amount of the bond (or cash security) sufficient to obtain the release of the Vessel M/V FRITZ in the amount of **USD 400,676.25**, same sufficient to cover the amount of Plaintiff's claim fairly stated as permitted by Supplemental Rule E(5).

IT IS FURTHER ORDERED that the Vessel may be released from attachment without further order of this court, if the Marshal receives written authorization from the attorney who requested the attachment and that such attorney advises that he has conferred with all counsel representing all of the parties to the litigation and they consent to the release, if the attorney files the consent, and the Court has not entered an Order to the contrary; and Plaintiff shall hold

harmless and indemnify the United States of America, the United States Marshal, their agents, servants, employees, from any and all claims arising from the attachment and release of the vessel as is herein specifically provided.

Witness, the Honorable Therese Wiken SANCY USMJ, Judge of the United States District Court for the Northern District of New York this 14<sup>th</sup> day of June 2014.

**United States District Clerk for the  
Northern District of New York**

By: [Signature]

United States Magistrate Judge